

63J-4-603. Powers and duties of coordinator and office.

- (1) The coordinator and the office shall:
 - (a) make a report to the Constitutional Defense Council created under Section 63C-4a-202 concerning R.S. 2477 rights and other public lands issues under Title 63C, Chapter 4a, Constitutional and Federalism Defense Act;
 - (b) provide staff assistance to the Constitutional Defense Council created under Section 63C-4a-202 for meetings of the council;
 - (c) (i) prepare and submit a constitutional defense plan under Section 63C-4a-403; and
 - (ii) execute any action assigned in a constitutional defense plan;
 - (d) under the direction of the state planning coordinator, assist in fulfilling the state planning coordinator's duties outlined in Section 63J-4-401 as those duties relate to the development of public lands policies by:
 - (i) developing cooperative contracts and agreements between the state, political subdivisions, and agencies of the federal government for involvement in the development of public lands policies;
 - (ii) producing research, documents, maps, studies, analysis, or other information that supports the state's participation in the development of public lands policy;
 - (iii) preparing comments to ensure that the positions of the state and political subdivisions are considered in the development of public lands policy;
 - (iv) partnering with state agencies and political subdivisions in an effort to:
 - (A) prepare coordinated public lands policies;
 - (B) develop consistency reviews and responses to public lands policies;
 - (C) develop management plans that relate to public lands policies; and
 - (D) develop and maintain a statewide land use plan that is based on cooperation and in conjunction with political subdivisions; and
 - (v) providing other information or services related to public lands policies as requested by the state planning coordinator;
 - (e) facilitate and coordinate the exchange of information, comments, and recommendations on public lands policies between and among:
 - (i) state agencies;
 - (ii) political subdivisions;
 - (iii) the Office of Rural Development created under Section 63M-1-1602;
 - (iv) the Resource Development Coordinating Committee created under Section 63J-4-501;
 - (v) School and Institutional Trust Lands Administration created under Section 53C-1-201;
 - (vi) the committee created under Section 63F-1-508 to award grants to counties to inventory and map R.S. 2477 rights-of-way, associated structures, and other features; and
 - (vii) the Constitutional Defense Council created under Section 63C-4a-202;
 - (f) perform the duties established in Title 9, Chapter 8, Part 3, Antiquities, and Title 9, Chapter 8, Part 4, Historic Sites;
 - (g) consistent with other statutory duties, encourage agencies to responsibly preserve archaeological resources;
 - (h) maintain information concerning grants made under Subsection (1)(j), if

available;

(i) report annually, or more often if necessary or requested, concerning the office's activities and expenditures to:

(i) the Constitutional Defense Council; and

(ii) the Legislature's Natural Resources, Agriculture, and Environment Interim Committee jointly with the Constitutional Defense Council;

(j) make grants of up to 16% of the office's total annual appropriations from the Constitutional Defense Restricted Account to a county or statewide association of counties to be used by the county or association of counties for public lands matters if the coordinator, with the advice of the Constitutional Defense Council, determines that the action provides a state benefit;

(k) provide staff services to the Snake Valley Aquifer Advisory Council created in Section 63C-12-103;

(l) coordinate and direct the Snake Valley Aquifer Research Team created in Section 63C-12-107; and

(m) conduct the public lands transfer study and economic analysis required by Section 63J-4-606.

(2) The coordinator and office shall comply with Subsection 63C-4a-203(8) before submitting a comment to a federal agency, if the governor would be subject to Subsection 63C-4a-203(8) if the governor were submitting the material.

(3) The office may enter into a contract or other agreement with another state agency to provide information and services related to:

(a) the duties authorized by Title 72, Chapter 3, Highway Jurisdiction and Classification Act;

(b) legal actions concerning Title 72, Chapter 3, Highway Jurisdiction and Classification Act, or R.S. 2477 matters; or

(c) any other matter within the office's responsibility.

Amended by Chapter 101, 2013 General Session

Amended by Chapter 337, 2013 General Session